

FROM : Arthur H. Forman, Esq.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREAS PEFANIS on behalf of
themselves and others similarly situated,

Plaintiff,

INDEX NO: 08cv002(DLC)

v.

WESTWAY DINER, INC.

Defendants.

STIPULATION TO AMEND COMPLAINT

IT IS HEREBY STIPULATED AND AGREED, by and between the Parties in the above captioned action, that Plaintiffs may file and serve a Amended Complaint to in the above-captioned matter.

Dated: New York, New York
May 30, 2008

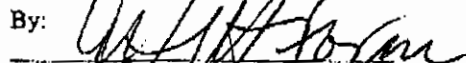
JOSEPH & HERZFELD LLP

By: 
D. Maimon Kirschenbaum (DK-2338)

Charles E. Joseph (CJ-9442)
757 Third Avenue, 25th Fl
New York, NY 10017
Tel: (212) 688-5640
Fax: (212) 688-2548

Attorneys for Plaintiffs

MITCHELL & INCANTALUPO

By: 
Arthur Forman (AF-9646)

Arthur H. Forman, Esq.
98-20 Metropolitan Avenue
Forest Hills, New York 11375
(718) 268-2616

Attorney for Defendants

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U.S.D.J.

June 3, 2008